



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
John Finlayson

Serial No.: 10/541,706

Confirmation No.: 9776

Filed: May 22, 2003

For: IDENTIFYING APPARATUS

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Group Art Unit: Unknown

Examiner: Unknown

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING 37 CFR 1.8	
I hereby certify that this correspondence is being deposited with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on <u>6 Feb</u> , 2006.	
<u>William B. Patterson</u> Typed Name	<u></u> Signature
<u>34,102</u> Reg. No. if applicable	<u>(713)623-4844</u> Telephone Number

Dear Sir:

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Applicant files this Response to a Notification of Missing Requirements (Form PCT/DO/EO/905 (371 Formalities Notice)), within the two-month period set to expire on March 19, 2006. The notice (copy enclosed) indicates that the application was filed without a signed oath or declaration.

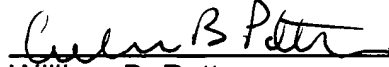
Enclosed for filing in the above-referenced application is an authorization for payment of the surcharge and a Combined Declaration and Power of Attorney in response to the missing requirements request.

02/14/2006 MKAYPAGH 00000111 200782 10541706

01 FC:2617 65.00 DA

The Commissioner is hereby authorized to charge a total of \$65.00 as payment of the surcharge associated with this Communication and Response, or credit any overpayment, to Deposit Account No. 20-0782/FAKS/0002/WBP.

Respectfully submitted,



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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/541,706	John Finlayson	FAKS/0002

INTERNATIONAL APPLICATION NO.
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PCT/AU03/00625

I.A. FILING DATE	PRIORITY DATE
05/22/2003	01/24/2003

William B Patterson  
 Moser Patterson & Sheridan  
 3040 Post Oak Boulevard  
 Suite 1500  
 Houston, TX 77056

CONFIRMATION NO. 9776

371 FORMALITIES LETTER



\*OC000000017861226\*

Date Mailed: 01/19/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 07/08/2005
- Copy of IPE Report filed on 07/08/2005
- Preliminary Amendments filed on 07/08/2005
- Information Disclosure Statements filed on 07/08/2005
- Oath or Declaration filed on 07/08/2005
- Small Entity Statement filed on 07/08/2005
- Request for Immediate Examination filed on 07/08/2005
- U.S. Basic National Fees filed on 07/08/2005
- Priority Documents filed on 07/08/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/541,706	PCT/AU03/00625	FAKS/0002